

REMARKS

Status of Application

By the present Amendment, claims 9, 19 and 20 have been canceled without prejudice or disclaimer and new claims 21-22 have been added.

Claims 8, 21 and 22 are all the claims pending in the application. Claims 8 and 9 have been rejected. Claims 19 and 20 are objected to.

Allowable Subject Matter

The Examiner has indicated that claims 19 and 20 would be allowable if rewritten in independent form.

Claim Rejections - 35 U.S.C. § 103

Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Iijima et al. (US Patent # 6,621,524) in view of Schuetzle (US Patent # 6,762,791). Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Iijima in view of Nishi (US Patent # 6,249,313). Applicant respectfully traverses all of these rejections for at least the reasons set forth below.

Without conceding to the merits of the Examiner's rejections, claim 8 has been amended, as set forth above, to incorporate the features of claim 19, which the Examiner has indicated as containing allowable subject matter. Claim 8 has also been amended to delete the limitation "an existing image outputting unit that outputs the selected existing image to the removable memory before the digital image is outputted to the removable memory," and this limitation has been included in new dependent claim 21.

Applicant respectfully submits that amended claim 8 is patentable over the cited references at least because the grounds of rejection fail to identify any aspect of Iijima, Schuetzle, or Nishi, as allegedly teaching or suggesting the features of a determining unit, as claimed. Indeed, Applicant submits that none of the cited references, nor any combination thereof, teaches or suggests a determining unit that determines whether an existing image, which is identical to the selected existing image, is stored in the removable memory, wherein, if the determining unit determines that the existing image, which is identical to the selected existing image, is stored in the removable memory, then the selected existing image is not output to the removable memory, and wherein if the determining unit determines that the existing image, which is identical to the selected existing image, is not stored in the removable memory, then the selected existing image is output to the removable memory, as recited in claim 8.

Therefore, Applicant respectfully submits that amended claim 8 is patentable over the cited references for at least these reasons. Moreover, Applicant submits that the dependent claims 21-22 are patentable over the cited references at least by virtue of their dependency on claim 8.

In addition, Applicant respectfully submits that new dependent claim 21 is patentable over Iijima, Schuetzle, Nishi, and any combination thereof, at least by virtue of the Examiner's previous indication of allowable subject matter with respect to claim 19.

Finally, Applicant respectfully submits that new dependent claim 22 is patentable over Iijima, Schuetzle, Nishi, and any combination thereof, at least by virtue of the Examiner's previous indication of allowable subject matter with respect to claim 20.

In view of the above, Applicant respectfully requests that the Examiner withdraw all of these rejections.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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